

# **EXHIBIT A**



## AlaFile E-Notice

47-CV-2022-900802.00

To: TOTAL QUALITY LOGISTICS, LLC  
4000 EAGLE POINT  
CORPORATE DR.  
BIRMINGHAM, AL, 35242

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA

PETER LONGWOOD V. RONNIE CASTILLO PEREZ ET AL  
47-CV-2022-900802.00

The following complaint was FILED on 7/19/2022 4:29:46 PM

Notice Date: 7/19/2022 4:29:46 PM

DEBRA KIZER  
CIRCUIT COURT CLERK  
MADISON COUNTY, ALABAMA  
MADISON COUNTY, ALABAMA  
100 NORTHSIDE SQUARE  
HUNTSVILLE, AL, 35801

256-532-3390

Defendant's copy

<b>State of Alabama</b> Unified Judicial System Form C-34 Rev. 4/2017	<b>SUMMONS</b> <b>- CIVIL -</b>	<b>Court Case Number</b> 47-CV-2022-900802.00
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**IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA**  
**PETER LONGWOOD V. RONNIE CASTILLO PEREZ ET AL**

**NOTICE TO:** TOTAL QUALITY LOGISTICS, LLC, 4000 EAGLE POINT CORPORATE DR., BIRMINGHAM, AL 35242  
 (Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),  
WILLIAM CHANNING BRASHAW  
 (Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 3595 Grandview Pkwy, Suite 350, BIRMINGHAM, AL 35243  
 (Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:**

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of PETER LONGWOOD  
 pursuant to the Alabama Rules of the Civil Procedure. (Name(s))

07/19/2022 /s/ DEBRA KIZER By: Kc  
 (Date) (Signature of Clerk) (Name)

☒ Certified Mail is hereby requested. /s/ WILLIAM CHANNING BRASHAW  
 (Plaintiff's/Attorney's Signature)

**RETURN ON SERVICE**

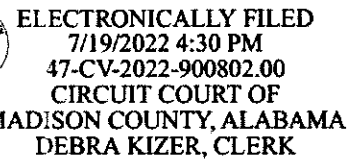
☐ Return receipt of certified mail received in this office on \_\_\_\_\_  
 (Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to \_\_\_\_\_  
 in \_\_\_\_\_ County,  
 (Name of Person Served) (Name of County)

Alabama on \_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Type of Process Server) (Server's Signature) (Address of Server)

\_\_\_\_\_  
 (Server's Printed Name) (Phone Number of Server)



**COVER SHEET**  
**CIRCUIT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)



ELECTRONICALLY FILED  
7/19/2022 4:30 PM  
47-CV-2022-900802.00  
CIRCUIT COURT OF  
MADISON COUNTY, ALABAMA  
DEBRA KIZER, CLERK

**IN THE CIRCUIT COURT FOR MADISON COUNTY, ALABAMA**

<b>PETER LONGWOOD, an individual,</b>	)	
<b>PLAINTIFF.</b>	)	
<b>v.</b>	)	
<b>RONNIE CASTILLO PEREZ, an</b>	)	
<b>individual, and A through Z being that</b>	)	<b>CIVIL ACTION NO.</b>
<b>person, firm or corporation that owned,</b>	)	
<b>operated, leased, or otherwise controlled</b>	)	
<b>the vehicle being driven and/or</b>	)	
<b>negligently and/or wantonly entrusted</b>	)	
<b>said vehicle to Defendant, RONNIE</b>	)	
<b>CASTILLO PEREZ and/or fictitious</b>	)	
<b>defendant A through Z at the time of the</b>	)	
<b>collision which is the subject of this</b>	)	
<b>lawsuit and acted negligently and/or</b>	)	
<b>wantonly, whose true names and legal</b>	)	
<b>status are otherwise unknown to the</b>	)	
<b>Plaintiff, but who will be substituted by</b>	)	
<b>amendment when ascertained by</b>	)	
<b>Plaintiff and TOTAL QUALITY</b>	)	
<b>LOGISTICS, LLC, a foreign limited</b>	)	
<b>liability company,</b>	)	
<b>DEFENDANTS.</b>	)	

**COMPLAINT**

**COMES NOW**, Peter Longwood (“Plaintiff”), by and through the undersigned counsel, and hereby files this civil action for negligence, wantonness, and negligent entrustment against Ronnie Castillo Perez (“Defendant Perez”) and Total Quality Logistics, LLC. (“Defendant TQL”) for injuries he sustained in an accident that occurred on or about March 1, 2021.

**I. PARTIES**

1. Plaintiff is and was a resident citizen of Madison County, Alabama.
2. Defendant Perez is and was a citizen of California at all material times referred to herein.

3. Defendant TQL is a foreign limited liability company which regularly does business in Alabama at all material times referred herein.

4. The events and circumstances forming the basis of this lawsuit occurred in Jefferson County, Alabama, and the Plaintiff is seeking compensation well in excess of the jurisdictional minimums of this Court.

## **II. FACTS**

5. On March 1, 2021, Plaintiff was operating a forklift to unload Defendant TQL's tractor trailer.

6. While Plaintiff was attempting to exit the trailer, Defendant Perez pulled away from the loading dock, causing Plaintiff's forklift and Plaintiff fall off the back of the tractor trailer.

7. As a direct and proximate result of the impact, Plaintiff sustained injuries to his neck, back, left shoulder, left knee, left hand, and left wrist.

## **III. FIRST CAUSE OF ACTION**

### **(NEGLIGENCE OF DEFENDANT PEREZ)**

8. Plaintiff re-alleges and incorporates herein by reference each and every allegation set forth above.

9. Plaintiff avers his injuries and damages were caused by the negligence of the Defendant Perez and/or fictitious defendant A-Z in causing the Plaintiff's fall and failed to use ordinary care of a reasonable prudent person.

10. The Plaintiff avers that all of his injuries and damages were proximately caused by the negligence and/or wantonness of the Defendant Perez, an/or fictitious defendant A-Z while acting within the line and scope of their employment for Defendant TQL.

**IV. SECOND CAUSE OF ACTION**

**(NEGLIGENT ENTRUSTMENT OF DEFENDANT TQL)**

11. Plaintiff re-alleges and incorporates herein by reference each and every allegation set forth above.

12. The injuries were incurred by the Plaintiff as a result of the negligent entrustment of an automobile by Defendant TQL.

13. Defendant TQL, as the employer of Defendant Perez and/or fictitious defendant A-Z who was operating the automobile, had the right to permit and the power to prohibit the use of the automobile.

14. Defendant had reason to know that their agent was incompetent, and was likely to operate the automobile in a negligent and reckless manner.

15. As a direct result of Defendant negligently entrusting their agent, who operated the automobile in a negligent and reckless manner, Plaintiff, without any contributory negligence, suffered injuries.

**V. THIRD CAUSE OF ACTION**

**(NEGLIGENT HIRING, TRAINING, SUPERVISION AND/OR RETENTION OF  
DEFENDANT TQL)**

16. Plaintiff re-alleges and incorporates herein by reference each and every allegation set forth above.

17. Plaintiff avers that Defendant TQL had a duty to hire competent drivers and properly train and supervise those drivers.

18. Defendant TQL negligently hired, trained, retained, and/or supervised Defendant Perez who caused Defendant TQL's vehicle to prematurely pull off and caused Plaintiff's fall and subsequent injury.

19. As a proximate consequence of Defendant TQL's negligent hiring, training, supervision, and/or retention, Plaintiff was caused to be injured and damaged all to his detriment.

#### **IV. FOURTH CAUSE OF ACTION**

##### **(RESPONDEAT SUPERIOR)**

20. Plaintiff re-alleges and incorporates herein by reference each and every allegation set forth above.

21. Defendant Perez and/or fictitious defendant A-Z, at all material times to the allegations of this complaint, was an employee and agent of Defendant TQL acting within the scope of his employment.

22. Defendant TQL is liable for the negligent acts of Defendant Perez and/or fictitious defendants A-Z under the doctrine of respondeat superior.

#### **VI. FIFTH CAUSE OF ACTION**

##### **(NEGLIGENCE/WANTONNESS OF FICTITIOUS PARTIES A THROUGH Z)**

23. Plaintiff avers that fictitious defendant(s) A through Z, leased, owned, operated or otherwise controlled the vehicle causing Plaintiff's injury on or about March 1, 2021. Plaintiff further avers that fictitious defendant(s) A through Z negligently and/or wantonly entrusted the vehicle to Defendant on the date of the collision which is the subject of this lawsuit when fictitious defendant(s) A through Z knew, or in the exercise of reasonable care should have known, that Defendant was incompetent to control the vehicle in a safe and efficient manner. Furthermore, the Plaintiff avers that fictitious defendant(s) A through Z negligently and/or



wantonly failed to train Defendant, negligently and/or wantonly failed to supervise Defendant, and/or were otherwise negligent and/or wanton. Plaintiff further avers that as a proximate consequence of such negligence by fictitious defendant(s) A through Z, Plaintiff has been caused to be injured and damaged and permanently injured and permanently damaged.

#### **VII. DAMAGES**

As a result of the incident which is the subject of this action, the Plaintiff has suffered and seeks to recover for the following injuries and damages:

- (a) Past medical bills;
- (b) Future medical bills;
- (c) Past and future physical pain;
- (d) Past and future emotional distress;
- (e) Past and future wage loss;
- (f) Permanent disability;
- (g) Loss of quality of life;
- (h) All other damages proven at trial to be so entitled.

#### **PRAYER FOR RELIEF**

WHEREFORE, PREMISES CONSIDERED, the Plaintiff respectfully demands judgment against each of the Defendants, jointly and severally, including the fictitious party Defendants, in a sum in excess of jurisdictional limits of this court, to be determined by a jury, which will fairly and adequately compensate the Plaintiff for her injuries and damages sustained, together with interest from the date of injury, and the costs of this proceeding.

Respectfully submitted:

**/s/ William H. Hassinger**

William H. Hassinger (HAS018)

W. Channing Brashaw (BRA170)

*Attorneys for Plaintiff*

**OF COUNSEL:**

WETTERMARK KEITH, LLC

100 Grandview Place, Suite 530

Birmingham, AL 35243

Telephone: (205) 933-9500

Facsimile: (205) 977-3431

Email: [cbrashaw@wkfirm.com](mailto:cbrashaw@wkfirm.com)

**DEFENDANT TO BE SERVED BY CERTIFIED MAIL BY CLERK:**

Ronnie Castillo Perez

222 W Fir St, Apt E1

Brea, CA 92821-6414

Total Quality Logistics, LLC

c/o Corporate Creations Network, Inc.

4000 Eagle Point Corporate Drive

Birmingham, AL 35242